

# STATE GOVERNMENT NEWS

Published Monthly by  
THE COUNCIL OF STATE GOVERNMENTS



Vol. 2

February, 1959

No. 2

## LEGISLATIVE PROCEDURES

**Montana Manual** -- Montana's first official legislative handbook has been distributed to the state's lawmakers. The booklet, pocket size, was drafted by Eugene C. Tidball, Director of the Legislative Council, and his staff. It describes the legislature, the legislative process, floor procedures in both House and Senate, and the legislature's constitutional powers. Two drawings of the legislature's chambers and offices are included.

**Pre-Filing of Bills** -- Filing of bills prior to the opening of a legislative session is growing in New York. This year, the second year in which pre-filing has been permitted, a total of 1,390 bills were filed before the session convened. Of these, 796 were filed for introduction in the Assembly and 594 for introduction in the Senate. The total compares with 1,223 bills pre-filed before the opening of the 1958 session.

In November of each of the pre-session years leaders of both parties in both houses have sent letters to all legislators, including newly-elected ones, urging them to take advantage of the opportunity to pre-file measures. Advantages include the fact that pre-filing permits legislative committees to begin consideration of bills immediately after the session begins and thus helps to avoid log jams.

**Utah Manual and Abstract** -- The Utah Foundation, a tax research organization, distributes the Manual of Utah Legislative Procedures and the Statistical Abstract of Government in Utah to each state legislator. The 1959 edition of the abstract includes statistics and thirty-nine research reports on such matters as the state's population, economy, taxes, revenue and expenditures. Most subjects are treated on a county-by-county basis.

## PRE-LEGISLATIVE CONFERENCES

**Georgia Pre-Session Institute** -- The Institute of Law and Government in the School of Law of the University of Georgia held a pre-session Institute for Legislators in December. The conference was designed to acquaint new members with the general organization and procedures of the legislature; to give old members an opportunity to consider changes in organization and procedures that might be advantageous; and to define more clearly major issues and problems facing the legislature.

**Wyoming Training Session** -- Wyoming's first pre-legislative training session for state lawmakers was held January 9 and 10 at the University of Wyoming. Sponsored by the College of Law at the university, the legislators' school devoted one and a half days to procedures and policies of the legislature. The program consisted of panel discussions and lectures on the progress of a bill from its enactment, the work of legislative committees, the drafting of legislation, and the organization of the legislature. Other lectures dealt with functions of the Attorney General's office, relations between legislators and the press, and the relationship between the legislature and the courts in the lawmaking process. Of thirty-one legislators attending the school nineteen were freshmen lawmakers.

## CONSTITUTIONAL REVISION

**New York Commission Re-created** -- Governor Nelson A. Rockefeller of New York recently signed a bill reconstituting a joint legislative committee as a Constitutional Revision Commission.

The commission was established by Governor Averell Harriman in 1957 to prepare for a possible constitutional convention. New York voters rejected a proposal for a convention in the fall of 1957, and the commission was reorganized as a joint legislative committee in 1958.

## OFFICES OF THE COUNCIL OF STATE GOVERNMENTS

### Central Office

1313 East Sixtieth Street, Chicago 37, Illinois

### Eastern Regional Office

36 West Forty-fourth Street, New York 36, New York

### Western Regional Office

582 Market Street, San Francisco 4, California

### Washington Office

1025 Connecticut Avenue, N.W., Washington 6, D. C.

Like its predecessor, the reorganized commission is charged with responsibility for examining the state constitution and suggesting changes that would simplify it, modernize it and eliminate obsolete provisions. The commission will consist of five members to be appointed by the President Pro Tem of the Senate, five to be appointed by the Speaker of the Assembly and five by the Governor.

#### FINANCIAL CONTROL

Georgia Fiscal Recommendations -- A sub-committee of the Joint Appropriations Committee of the Georgia legislature has recommended major changes in state financial operations. A reorganization proposal would establish a Department of Administration with an executive secretary responsible to the Governor. The department would consist of four branches -- budgeting, accounting, purchasing, and property management. Under the plan, the State Auditor would retain post audit responsibilities and have expanded staff obligations to the legislature for analyzing budget and appropriations proposals. He would be relieved of responsibilities for day to day overview of state budget operation.

Hawaii Budget Administration -- A recent survey report of special funds and budget administration in Hawaii has recommended a sharp reduction in earmarked funds under the internal control of administrative agencies. The report, authorized by the 1957 legislature, was prepared by the Public Administration Service.

It specifically recommended that a \$26 million highway fund and a \$2 million fund of the Hawaii Aeronautics Commission be abolished -- the agencies to operate on legislative appropriations from the general fund. Another recommendation was for elimination of special funds supported by licensing fees, such as those administered by the Board of Medical Examiners, the Real Estate Licensing Commission and the Beauty Culture Board. The report also recommended that motor vehicle fuel taxes be deposited in the general fund.

#### STATE GOVERNMENT NEWS

February, 1959

Vol. 2, No. 2

Published monthly by

#### THE COUNCIL OF STATE GOVERNMENTS

1313 East Sixtieth Street, Chicago 37, Illinois

BREVARD CRIFFIELD, Executive Director

FRANK SMOTHERS, Director of Publications

JOSEPH J. MOYLAN, Editor, *State Government News*

\$2 per year

Second class mail privileges  
authorized at Chicago, Illinois.

Idaho Budget Book -- Idaho state legislators are provided with a loose-leaf budget book at the beginning of each biennium as an aid to deliberations on fiscal matters. Prepared for the 1959-61 biennium by R.M.D. Childs, Director of the Budget, this year's publication lists three forms of budgets prepared by each state agency -- desirable, adequate and minimum requests -- and recommendations of the State Pre-Legislative Budget Committee. The loose-leaf form of the book permits addition in appropriate places of the later budget recommendations of the Governor, and other budgetary information.

Utah Problems Studied -- Two studies in Utah are being directed toward easing the budgetary problems of Governors and Governors-elect.

Arden Engebretsen, Assistant Attorney General assigned to the Governor's office, is studying means for easing the task of an incoming Governor faced with submitting a budget to the legislature two months after election.

In addition the Legislative Council has appointed Karl N. Snow, an expert in public administration, to study and make recommendations on the present division of authority for keeping state spending in line with the budget. Authority for financial control rests with the State Board of Examiners -- composed of the Governor, Attorney General and Secretary of State. Objective of the council study is clarification of the relationships among the board, the Finance Commission and the Governor, and to develop legislative recommendations to bring the Governor's authority into line with his responsibilities in preparing the budget and overseeing state expenditures.

#### NORTH CENTRAL GOVERNORS' PROPOSALS

Regional Cooperation -- A North Central States Governors' Conference, to be held later in 1959, was proposed at a recent meeting in St. Paul, Minnesota, by the Governors of Iowa, Minnesota, South Dakota and Wisconsin. Governors of other north central states will be invited to participate in the conference and to assist in selection of topics for discussion.

The four Governors met January 10, at the invitation of Governor Orville L. Freeman to discuss common problems, and they joined in a number of statements on such problems.

In a statement on public service they asserted: "We cannot be blinded to the needs for highways, schools, hospitals and the needs of the unemployed, the aging, and the ill by a frightened lack of confidence in our economic potential. We believe that essential public services -- available to all the people -- will more than repay their costs."

The Governors advanced several specific programs for cooperation among adjoining states. They favored a program gradually to standardize highway markings and signs,

and proposed that the respective state highway departments develop a program to coordinate closely the timing of construction of the various segments of the Interstate System. Similarly proposed, among other interstate objectives, was development of a program to consider interstate needs for flood control, wildlife development, sanitation and transportation.

To facilitate cooperation, each of the four Governors agreed to appoint a staff member to expedite exchange of information on mutual problems in the legislative, executive and administrative fields, and to designate a university research staff to serve as a clearing house for information of mutual importance.

Part of the meeting was devoted to discussion of the adaptation of electronic equipment to speed the flow of paper work in state administration. Minnesota recently completed a study as a result of which installation of an electronic computer center was recommended to perform eight major state functions.

#### ADMINISTRATION, ORGANIZATION

American Commonwealth Series -- The Government and Administration of Montana by Roland R. Renne, President of Montana State College, has recently been published as part of the American Commonwealth Series, devoted to parallel presentations on the governments of each of the forty-nine states and certain other jurisdictions. The volume on Montana, eleventh published to date, describes the development and present organization of the legislative, executive and judicial branches of the state's government. Also described are various services of state and local offices, boards, commissions and agencies and their day-to-day operation.

Previously published in the series are books on Delaware, Florida, Georgia, Iowa, Mississippi, New Jersey, New York, North Carolina, Ohio and Wyoming. Nearing completion is a volume on Illinois. The series is edited by W. Brooke Graves of the Library of Congress and is available from Thomas Y. Crowell Company, 432 Fourth Avenue, New York 16, New York. Price of The Government and Administration of Montana is \$7.75. Prices for other volumes in the series vary.

Michigan Reorganization Proposals -- An Advisory Committee on Reorganization of State Government in Michigan has submitted seven recommendations to Governor G. Mennen Williams. Three proposals deal with warrant functions, surplus food distribution, and responsibility for motor fuel tax collection. Four relate to the State Department of Health.

The committee recommended: (1) transfer of responsibility for warrant functions from the Office of Auditor General to the State Treasurer; (2) abolishment of the Commodities Surplus Food Distribution Section and transfer

of its functions from the Department of Administration to the Department of Social Welfare; (3) transfer of the responsibility for motor fuel tax collection from the Department of State to the Department of Revenue.

The other recommendations urged transfer of the Office of Hospital Survey and Construction, the Tuberculosis Sanatorium Commission and the Board of Alcoholism to the State Board of Health, and establishment of a State Council of Health. The council would have nine members to be appointed by the Governor, not more than five of them representative of the health professions.

Vermont Little Hoover Commission -- The Vermont Commission to Study State Government has submitted a report based on a two year study of the organization and operation of the state's government. One recommendation called for establishment of a Department of Administration. Another proposed a constitutional amendment to extend the Governor's term to four years.

The commission recommended that administrative powers now vested in various state boards and commissions be given to agency heads. Elimination of some boards and commissions was proposed -- the remaining ones to be restricted to policy, advisory and semi-judicial functions.

The commission urged that the Governor be given clear authority to reduce departmental expenditures when necessary to insure a balanced budget. Finally, it proposed that a permanent committee of state officers and employees be established to make a continuing study of state administrative activities and to recommend to the Governor and legislature every two years desirable changes for improvement of administrative management.

#### TAXES

Property Tax Study -- A North Carolina study commission report on the state's revenue structure has concluded that assessment of real and personal property should remain a local responsibility but has recommended elimination of non-constitutional property tax exemptions of less than statewide application. Action was urged to assure that all property of the same class in the same county receives equal treatment. Under a plan proposed by the commission, counties with funds from small annual local taxes, would be required to appraise and revalue real property every eight years according to minimum standards established by state law. The commission proposed that counties be permitted to fix the percentage of market value at which property is to be assessed and called for repeal of the current full market value requirement.

Oregon Tax Revenues -- In the third and last report on a study of Oregon's tax structure, John F. Sly, Director of Princeton Surveys,

Princeton University, has outlined ways in which the state can meet a predicted need for increased revenue. Mr. Sly discussed his conclusions and recommendations with legislators and state officials January 10 at a pre-session conference held by the State Department of Planning and Development. The report recommended that additional revenues be sought from new excise taxes, new bases for income taxes, a consumers' sales tax, or a combination of these sources.

Depending on revenue needs of the state, its income, and legislative determination of how the tax burden should be distributed, the report suggested three alternate tax programs. One would be a consumer sales tax, to yield \$58 million a biennium. Another would be a 4 cents a package levy on cigarettes, to produce \$14 million during the same period. The third suggestion would involve a combination of the cigarette tax with a real estate transfer tax of 1 per cent, total to yield \$22 million; removal of the personal property credit from the corporate net income tax, yielding \$5 million; an alternative to the regular state income tax, providing for a 1 per cent gross income tax, to yield \$7 million. Under the latter measure every wage earner would pay some income tax.

Other suggestions would provide for enactment of a capital gains provision in the income tax law, elimination of a tax on manufacturers' inventories, and elimination of the property tax on industrial buildings under construction. Further recommendations dealt with a statewide uniform assessment ratio, restriction on voting of local excess levies and bond issues, and a reasonable inheritance tax.

#### JUDICIAL PROPOSALS

Illinois Bills Prepared -- The Illinois Judicial Advisory Council has announced that bills revising at least three aspects of the state judicial system will be offered to the 1959 General Assembly. The council consists of three Senators appointed by the President Pro Tem of the Senate, three representatives appointed by the Speaker of the House and three citizens appointed by the Governor. It was created two years ago as a permanent body to devise means for improving the administration of justice.

The council reported that it will recommend passage of a law creating the office of court administrator under the supervision of the Illinois Supreme Court; legislation revising the appellate jurisdiction of the state's higher courts; and statutes pertaining to the justice of the peace system. Representative Robert L. Burhans, council chairman, adds that other areas for improvement in the judicial system are under consideration and will be dealt with at a future date.

The council has indicated that the rejection of an amendment of the judicial article in the constitution by Illinois voters last November does not prevent change

by ordinary statute. The pending recommendations deal with subjects on which the state's constitution leaves room for legislative discretion.

A draft bill authorizing creation of the office of court administrator has been prepared in consultation with the State Supreme Court, the Cook County Judicial Conference, the County and Probate Judges Association and the Chicago Municipal Court.

With regard to handling of appeals by the higher courts, the problem under study relates chiefly to the division of reviewing jurisdiction between the four appellate courts and the Supreme Court.

The council statement pointed out that justice of the peace courts are controlled by legislative enactments, the constitution mandating only popular election and uniform jurisdiction.

#### EDUCATION

Alabama Education Commission -- The Alabama Education Commission has filed a report with the legislature on a long range study of educational needs of the state. The commission, established at the 1957 regular session, recommended that members of the State Board of Education be elected rather than appointed. It urged appointment of state and county superintendents of education by their respective boards of education. Other recommendations called for increased teacher salaries; a school construction program financed by bonds and increased sales and income taxes; and expansion of faculties in institutions of higher education.

School Accounting -- The Idaho State Board of Education has adopted a uniform system of accounting for all the state's school districts, to start July 1, 1959. Its adoption followed a report of a committee created by the 1957 legislature and appointed by Governor Robert E. Smylie.

Higher Education Report -- The Governor's Commission on Higher Education in Pennsylvania has recommended a scholarship and loan program to the Governor. It proposed that scholarships be provided for use at any institution in the state, to be awarded on the basis of merit and need in amounts ranging from \$100 to \$800 or one-half of the tuition, whichever is less. The commission suggested that the state establish a loan fund to supplement federal loans available to students. Other proposals of the group would establish a permanent State Commission on Higher Education and a testing program in the high schools to measure achievement of juniors and seniors.

New Curriculum Plan -- The Virginia State Board of Education has adopted a five-year high school curriculum for students starting

the eighth grade. The program will begin in September, 1959.

New graduation standards provide for sixteen required and four elective units over a period of five years, in place of eight required and eight elective units over four years. Additional units in English, mathematics, science, and one in world history or geography or both will be mandatory. Other units, depending on the student's course of study, will be selected from special programs.

Further changes will require students in "academic" programs to have at least three units of science, mathematics or a foreign language, and will allow qualified pupils to take algebra, a foreign language and science in the eighth grade.

Under the new program, high schools must make a total of thirty-four required and elective units available over five years, of which twenty-two offerings must be academic and twelve in the fine and practical arts. At present thirty units must be offered in the four years, of which eighteen are academic, two fine arts and ten practical arts.

The new program will organize extracurricular activities to minimize class-work interruption and encourage use of non-teaching days and off hours for teacher or teacher-pupil conferences.

High School Study -- James B. Conant, President Emeritus of Harvard University, reports in The American High School Today, a volume of 140 pages, on the results of an extensive study he has just completed of American high schools. In making the study Dr. Conant visited more than fifty schools in eighteen states. He concludes that the American system of locally controlled public high schools is basically capable of meeting the educational needs of the nation's youth, but has numerous suggestions for strengthening them.

One of his key recommendations is for a drastic reduction in the number of small high schools through district reorganization. He regards high schools with less than 100 in their graduating classes as too small for educational and financial efficiency.

The report outlines a proposed program of studies to be taken by every student in high school regardless of academic ability. It would include four years of English; three or four years of social studies, including two of history or American government; one year of mathematics and one of science. The basic program would be supplemented by either vocational or academic electives.

An important criticism in the report refers to the status of the academically talented student who is not being sufficiently challenged and does not work hard enough, and whose academic subjects, Dr. Conant believes, are not of sufficient range. For these students the author urges four years of mathematics, four of one foreign language and three of science.

In vocational education, electives might

include carpentry or electronics for boys and secretarial training or home economics for girls.

Two recommendations concern the study of foreign languages and English. Dr. Conant condemns the existing practice of studying two or more foreign languages for two years each in high school and strongly commends concentration on one language. Likewise, he recommends that at least half of the time devoted to English throughout high school be concentrated on English composition.

In all, the report includes twenty-one specific recommendations for strengthening the high schools. The study was financed by a grant from the Carnegie Corporation. It has been published in paperback (\$1) and in hardcover (\$2.75) by McGraw-Hill Book Company, Inc., 330 W. 42nd Street, New York 36, New York.

#### URBAN AND METROPOLITAN AREAS

Railroad Commuter Problems -- Problems of the railroads in providing commuter service are receiving special attention in at least four areas of the Northeast.

An interim commission of the Massachusetts legislature recently submitted a report outlining difficulties confronting the railroads in providing such service in the Boston area. The report emphasized the importance and necessity of continuing this form of transportation and suggested various policies which the state and local governments might adopt to meet the problems. Subsequently Governor Foster Furcolo, in his inaugural address to the legislature, proposed the establishment of a transportation authority to study and coordinate plans and programs. He suggested that the authority ultimately might take over the operation of commuter service and other mass transportation facilities in the state.

The Connecticut Commission on Intergovernmental Cooperation, through a special subcommittee, has been studying commuter transportation for several months. It was to submit a report to the current legislature.

Governor Nelson A. Rockefeller of New York gave attention to this subject in his inaugural message. He requested the legislature to set up an office of transportation in the Governor's office. Such an agency would provide a focal point for considering problems in the field and for developing state policies to resolve them.

Following a special meeting between Governor Rockefeller and Governor Abraham A. Ribicoff of Connecticut, the Governors announced that, with the cooperation of Governor Robert B. Meyner of New Jersey, they would hold a tri-state conference in February on the railroad commuter problem in the New York metropolitan area. Groups studying the subject in the three states would be invited to attend.

In an address to the New Jersey legislature, Governor Meyner referred to the criti-

cal problem of commuter transportation and suggested minimum requirements for any legislation on the matter. One of the suggestions was an interstate agency with New York. Governor Meyner emphasized that such an agency must be responsible to elected officials and noted that giving the Governor of each state veto power would provide such responsibility. He said the agency would need to cooperate with existing state and interstate, municipal and local groups. Any action on the commuter problem, the Governor added, could be effective only with the cooperation of New York.

In addition to these studies and plans, state and local governments in the Northeast have taken certain action during the past year to alleviate the situation confronting the railroads. Massachusetts last year authorized a special subsidy to the New Haven Railroad in order to maintain commuter service on the Old Colony Branch. Communities in New York State have granted special tax abatements to the New York Central and the New Haven. Philadelphia has underwritten possible losses resulting from an experimental plan involving two commuter railroads and bus lines. Under this plan the railroads have reduced fares and increased service in an effort to encourage more commuter use.

Urban Study Commission -- A North Carolina Municipal Government Study Commission established by the legislature in 1957 has concluded that by 1980 North Carolina will be primarily an urban state. In a report to the Governor it estimated that in twenty years six of every ten citizens will live in and around cities. The present ratio is four in ten. In 1930 it was one in three.

The commission reported that close co-operation by the state and its subdivisions is necessary for effective community planning. It suggested that counties be given discretionary planning powers, including subdivision and zoning authority. It recommended extraterritorial zoning powers of one mile for cities with more than 2,500 people and such power up to five miles, with consent of the county, for cities of more than 15,000.

Other recommendations would permit cities with low assessed evaluations to make levies in excess of statutory limits for capital construction and would provide state responsibility for construction and maintenance of major streets in lieu of increasing state aid. Still another would eliminate a requirement that cities pay a fifth of right of way costs for state highways within city limits.

Air Pollution Control -- The Interstate Sanitation Commission has submitted a report to the Governors and legislatures of New Jersey and New York based upon a study of air pollution in the New York metropolitan area. The report proposes that the commission be given authority to establish standards for

prevention of air contamination, to direct compliance with these standards, and to enforce them through the courts. The air pollution control district in which the commission would operate would include New York City, three adjacent counties in New York State and six counties in New Jersey.

The commission was established by compact among Connecticut, New Jersey and New York to deal with water pollution in the New York City area. Its study of air pollution was made at the request of New Jersey and New York. The recommendations will require action by both legislatures to become effective.

#### WATER RESOURCES

Delaware River Basin Plan -- A plan for the development of water resources for 25 million residents and for industries in the Delaware River Basin was recently proposed by the Philadelphia District, Corps of Army Engineers. The plan -- which includes proposals for construction of twenty-one dams for flood control, water storage and hydroelectric power -- was outlined by Colonel William Powers, Philadelphia District Engineer, at a meeting of representatives of the Governors of Delaware, New Jersey, New York and Pennsylvania and the Mayors of New York and Philadelphia. A survey of the area began three years ago to determine future requirements of the rapidly growing populations and industries, up to the year 2010.

Water Sanitation Monitors -- The Ohio River Valley Water Sanitation Commission has forecast the development of robot monitors to maintain a continuous check on stream cleanliness. The commission told of the possibility of such monitors in its annual report to the Governors of its member states: Illinois, Indiana, Kentucky, New York, Ohio, Pennsylvania, Virginia and West Virginia. As a basis for the prediction the report cited experience that has been gained in the operation of forty-four river-quality surveillance stations.

The commission also reported that three-fourths of the plants in the Ohio Valley operate facilities to curb pollution. As an example of the effectiveness of the interstate control program, it noted that whereas four out of ten people in the Ohio Valley were served by sewage-purification facilities in 1948, the ratio today is approaching eight of every ten.

Water Resources Study -- A Kentucky Water Resources Study Commission has begun a fifteen month study of problems of water resources in the state. The commission was created by the 1958 legislature to make a continuous study of the state's water conservation policy and to formulate a comprehensive law to attain maximum beneficial use of water resources. The survey is to be com-

pleted before the next regular session of the legislature, in 1960.

Robert Lee Bolin, Chairman of the commission and Director of the State Division of Flood Control and Water Usage, has announced formation of committees on fact finding, drafting, legal problems and education. Subcommittees also have been set up on water uses and needs, land use and needs, water quality, surface water, climate, ground water and population.

Motor Boat Licensing -- The New York Joint Legislative Committee on Motor Boats has recommended enactment of a statute licensing all motor boats operated on waters within the state. A fee of \$3 for three years would be charged, to be used for more effective enforcement of water safety laws. The proposed legislation would tie in with a federal statute enacted last year.

#### RADIATION STUDIES

Incodel Project -- The Interstate Commission on the Delaware River Basin is conducting a study of the incidence of radioactivity in the waters, soils, animal and plant life in the lower part of the basin. Samples are to be taken over a considerable period of time to determine the amount of radioactive materials present in these elements.

This will provide a measure of the natural radiation in the area and serve as a base for future checks to determine the effects of the use of isotopes by industries in the basin and the use of nuclear-powered ships. The first nuclear-powered commercial ship is being built at a shipyard on the river and is expected to be in operation by 1960.

In addition to providing data for the Delaware Basin, the study will develop survey techniques expected to be useful in similar studies elsewhere. Cooperating with Incodel in the project are Delaware, New Jersey, Pennsylvania, the United States Public Health Service, the Atomic Energy Commission and the City of Philadelphia.

New York Survey -- The New York State Department of Health is continuing periodic studies of radioactivity in the lower Hudson River Valley, north of New York City. Analyses are made of water, vegetation, soil, fish and river bottom conditions. There are plans to obtain samples of milk from herds in the area. Objective of the studies is to determine the level of natural radioactivity in the region. Three nuclear reactors are expected to be operating in the valley by 1960.

#### HIGHWAY UTILITIES

New Mexico Decision -- The New Mexico Supreme Court has denied three utility companies a rehearing of a November, 1958, decision on the costs of relocating utilities along highway rights-of-way. The decision had declared unconstitutional a 1957 law requiring the

state to repay the costs. The high court held that state payment for relocation would violate a provision of the constitution prohibiting donation of public funds to private corporations. The court found that, although a utility may be engaged in a highly commendable public service, that alone does not warrant the state's making a donation in aid of the utility. Highways are constructed by the state on state owned rights-of-way for the use of the public, the court pointed out, whereas the facilities installed by a utility are for its own benefit.

#### MENTAL RETARDATION CENTERS

The Massachusetts Program -- The National Association for Retarded Children has reported in its publication Children Limited that seventeen state supported mental retardation centers have been established in Massachusetts since October, 1957. The centers have an enrollment of 159. Many were set up through joint efforts of the Department of Mental Health, local associations for retarded children and regional mental health centers.

The program provides for nursery training for preschool children, parent counseling by social workers, medical diagnostic services and consultation by psychiatrists, psychologists and pediatricians. The legislature appropriated \$120,000 in 1957 for the program and in 1958 an additional \$140,000 to extend nursery training facilities.

The enabling legislation and appropriation grew out of a recommendation of a Massachusetts Special Commission on Retarded Children. A research project is being instituted at the West End Child Guidance Center in Boston to study the development of children in the program and to devise improved training techniques.

#### PAROLE AND PROBATION

Pennsylvania Proposals -- The Pennsylvania Commission on Penal and Correctional Affairs recently submitted its final report, including a series of recommendations for improvements in the parole and probation service in the commonwealth. The commission recommended that adult probation services be handled by the state rather than by county courts as at present. It proposed that the State Parole Board be increased from three to five members, that salaries of board members be raised from \$11,500 to \$16,000 and that the name of the agency be changed to the Board of Probation and Parole. The commission recommended that the board's jurisdiction be changed to include all offenders with sentences as long as one year. The board now deals only with prisoners with maximum sentences of two years or more. In addition it was proposed that the board make pre-sentence investigations in all cases involving offenders under age 25, in all cases of first offenses, and in all cases in which offenders have families or dependents.

1513 East 60th Street, Chicago 37, Illinois  
COUNCIL OF STATE GOVERNMENTS

from

## STATE GOVERNMENT NEWS

Second class mail privilege  
authorized at Chicago, Illinois.

8

### STATE AND LOCAL FINANCE

State by State Report -- The Bureau of the Census, United States Department of Commerce, has announced publication of State and Local Government Finance in 1957. The report is the first source of comparative expenditure and debt figures covering both state and local governments on a state by state basis since 1942. Also included are the revenue figures for both state and local governments, not available since a sample survey conducted by the bureau in 1953. One table in the report is devoted to forty-nine individual state pages giving figures by type of government in each state. The report will be available in February from the Bureau of the Census, Washington 25, D.C., for \$1.

### UNEMPLOYMENT COMPENSATION

Conclusions of Utah Study -- A study by the Advisory Council of the Utah Employment Security Department has concluded that the state could provide its own extended benefits formula with less cost to taxpayers than could be done under the federal law passed in February, 1958.

Under a proposed revision the duration of unemployment payments would be extended for steadily employed workers and reduced for the seasonally employed. The Advisory Council's study, completed in eight months, disclosed that the greatest drain on the employment reserve fund came from seasonal unemployment rather than economic recession or technical dislocation. At the lower end of the scale of the benefit formula proposed, workers with nineteen weeks employment in the base period would have the length of unemployment payments reduced from fifteen weeks to ten. At the upper end of the scale workers with forty-three weeks employment would have the benefit payment period extend-

ed from twenty-six weeks to thirty-six.

Costs for benefits under the new program would be expected to rise only one one-hundredth of 1 per cent if employment conditions in the state continue similar to those existing since World War II.

### WORKMEN'S COMPENSATION, RADIATION INJURIES

Proposals for the States -- Several important proposals for expanding workmen's compensation coverage were approved January 30, by committees of state officials associated with the Council of State Governments, for immediate reference to the states, most of whose legislatures are in session.

The proposals recommend that state workmen's compensation laws be made compulsory and applicable to employers regardless of the number of employees; that employee waivers of coverage be prohibited; that "occupational diseases" be defined to cover radiation injuries; and that time limits for filing claims should be altered in light of the delayed manifestation of radiation injuries.

The committees developing and approving the proposals were a subcommittee of the Council's Committee of State Officials on Suggested State Legislation and the Committee on Atomic Energy Law of the National Association of Attorneys General.

Development of the suggestions was anticipated by the Committee of State Officials on Suggested State Legislation in September, 1958. It created the subcommittee noted above "to study workmen's compensation laws and radiation injury coverage, as well as other problems affecting state programs for coverage of workers." Copies of the proposals will be available in a supplement, to be issued in mid-February, to Suggested State Legislation -- Program for 1959.

STATE  
COUNCIL  
1913 East 600

pro-  
one-  
con-  
r to

IES

tant  
nsa-  
, by  
ated  
for  
t of

tate  
pul-  
less  
oyee  
that  
over  
mits  
ight  
tion

ving  
the  
s on  
Com-  
onal

was  
ffili-  
n in  
ttee  
tion  
well  
rams  
the  
ple-  
, to  
gram